

10581. Adulteration of sugar. U. S. v. 11 Bags * * *. (F. D. C. No. 18042. Sample No. 36396-H.)

LIBEL FILED: October 25, 1945, District of Oregon.

ALLEGED SHIPMENT: On or about July 5, 1945, from Crockett, Calif.

PRODUCT: 11 100-pound bags of sugar at Salem, Oreg.

LABEL, IN PART: "Canners Granulated Sugar."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of urine.

DISPOSITION: December 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 10582 to 10589; that was below the legal standard for milk fat content, Nos. 10589 to 10592; and that was short of the declared weight, No. 10592.

10582. Adulteration of butter. U. S. v. 499 Cases * * *. (F. D. C. No. 18307. Sample Nos. 13681-H, 13682-H.)

LIBEL FILED: August 14, 1945, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about August 8, 1945, by the Merchants Creamery Co., from Cincinnati, Ohio.

PRODUCT: 499 cases, each containing 20 pounds, of butter at Charleston, W. Va. Analysis showed that the product contained mold.

LABEL, IN PART: "Kroger's Country Club Quality Brand * * * Packed for The Kroger Grocery & Baking Co. General Offices, Cincinnati, Ohio."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy or decomposed substance.

DISPOSITION: September 13, 1945. The Merchants Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

10583. Adulteration of butter. U. S. v. 57 Cubes (3,990 pounds) * * *. (F. D. C. No. 18306. Sample No. 26194-H.)

LIBEL FILED: October 3, 1945, Southern District of California.

ALLEGED SHIPMENT: On or about September 13, 1945, by the Kelly Creamery, from Elk City, Okla.

PRODUCT: 57 70-pound cubes of butter at Los Angeles, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 10, 1945. The Kelly Creamery, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be disposed of for purposes other than for human consumption, under the supervision of the Food and Drug Administration.

10584. Adulteration of butter. U. S. v. 56 68-pound Cubes * * *. (F. D. C. No. 18308. Sample No. 24007-H.)

LIBEL FILED: On or about August 21, 1945, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about June 30, 1945, by the Southern Butter Co., from Muskogee, Okla.

PRODUCT: 56 68-pound cubes of butter at Meridian, Miss. Analysis showed that the product contained mold.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed animal substance.

DISPOSITION: September 20, 1945. The Southern Butter Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be converted into refined butter oil, under the supervision of the Food and Drug Administration.

10585. Adulteration of butter. U. S. v. 27 Cases * * *. (F. D. C. No. 18316. Sample No. 14019-H.)

LIBEL FILED: September 25, 1945, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about September 12, 1945, by the Fairmont Creamery Co., from Columbus, Ohio.

PRODUCT: 27 cases, each containing 32 1-pound cartons, of butter at Huntington, W. Va. The product contained excessive mold mycelia.

LABEL, IN PART: "Fairmont's Better Brand Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy or decomposed substance.

DISPOSITION: October 16, 1945. The Fairmont Creamery Co., Omaha, Nebr., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be converted into butter oil, under the supervision of the Federal Security Agency.

10586. Adulteration of butter. U. S. v. 121 Cartons and 6 Cases (421 pounds) * * *. (F. D. C. Nos. 18305, 18314. Sample Nos. 13497-H, 13690-H.)

LIBELS FILED: September 13 and 26, 1945, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about September 11 and 20, 1945, by French-Bauer, Inc., from Cincinnati, Ohio.

PRODUCT: Butter, 121 1-pound cartons at Maysville, Ky., and 6 50-pound cases at Covington, Ky.

LABEL, IN PART: "Clover Blossom Brand Creamery Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and dirt in both lots, and rodent hair fragments in the Covington lot. Both lots consisted in whole or in part of a decomposed substance since they were made from decomposed cream, as evidenced by a high mold mycelia count. Further adulteration, Section 402 (a) (4), the Covington lot had been prepared, packed, and held under insanitary conditions whereby it may have become contaminated with filth, since an inspection of the factory disclosed insanitary conditions and the use of large amounts of filthy and decomposed cream in the manufacture of butter.

DISPOSITION: On September 26, 1945, French-Bauer, Inc., claimant for the Covington lot, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be disposed of for purposes other than for human consumption, under the supervision of the Food and Drug Administration. On October 22, 1945, no claimant having appeared for the remaining lot, judgment of condemnation was entered and the product was ordered sold for use as salvage fat.

10587. Adulteration of butter. U. S. v. 4 Cases * * *. (F. D. C. No. 18163. Sample Nos. 13297-H, 13298-H.)

LIBEL FILED: August 20, 1945, Eastern District of Kentucky; amended libel filed October 15, 1945.

ALLEGED SHIPMENT: On or about August 14, 1945, by French-Bauer, Inc., from Cincinnati, Ohio.

PRODUCT: 3 cases, each containing 50 pounds, and 1 case, containing 44 pounds, of butter at Covington, Ky.

LABEL, IN PART: "Clover Blossom Brand."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), (original libel) the article consisted in whole or in part of a filthy or decomposed animal substance, since analysis showed the product to have a high mold mycelia count, which